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UNITED STATES PATENT AND TRADEMARK OFFICE

Appellant: Kyrtos

Serial No.: 09/628,396

Filed: August 1, 2000

Group Art Unit: 3634

Examiner: J. Redman

Title: OBJECT DETECTION BY SIGNAL FIELD MAPPING

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY BRIEF TO SUPPLEMENTAL EXAMINER'S ANSWER

Dear Sir:

The Examiner's answer mailed 05/04/2004 raises several new arguments. These are addressed below. Appellant appreciates that the 35 U.S.C. 112 rejections have now been dropped.

ARGUMENTS WITH REGARD TO "GRAPHICAL SHAPE"

The Examiner continuously argues that *Zhang* discloses a signal having "a graphical shape". In response to Appellant's point that *Zhang* only detects an increase in a reflected signal that may not be properly construed as "mapping", the Examiner disagrees "since a reflected signal has a limited defined field and has a graphical shape (the field which defines the signal)."

Answer

Initially, the Examiner admits that *Zhang* only looks for an obstruction. See Examiner's Answer page 4. The Examiner states that "a reflected signal has a limited defined field and has a graphical shape (the field which defines the signal)." This statement also highlights the flaw in the Examiner's argument. Again, this is a 35 U.S.C. 102(e) rejection, and the Examiner must at least

show that any feature not directly taught must be inherently present. The *Zhang* reference fails to do so.

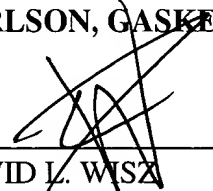
The Examiner makes the unsupported logical leap that just because a signal is "reflected" it is inherent that it has "a limited defined field". Initially, just because a signal is reflected it does not have to be "limited." A reflected signal is more likely construed as being dispersed. The resultant dispersal enforces Appellants point as to why *Zhang* is concerned with false reflections such as that from clouds, the sun and other such diffused sources. See *Zhang Figs. 34, 36, 48, 58, 59, 60 and 61*. The reflections from clouds, the sun and other such diffused sources support that *Zhang* only identifies that the reflected signal has increased. See *Zhang Col. 10, 31-35*. That is, *Zhang* only identifies that the signal changed (increased in reflectivity), which cannot be fairly construed as either being "limited" or as providing a map signature as recited in the claims of the present application.

CLOSING

For the reasons set forth above, the rejection of all claims is improper and should be reversed. Appellant earnestly requests such an action.

Respectfully submitted,

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Dated: May 27, 2004

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Commissioner of Patents, Mail Stop AF, P.O. Box 1450, Alexandria, VA 22313-1450, on this 27th day of May, 2004.



Beth A. Beard